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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,890	01/15/2004	Davide Parachini	IT20020058	4776
173	7590	12/23/2005	EXAMINER	
WHIRLPOOL PATENTS COMPANY - MD 0750 500 RENAISSANCE DRIVE - SUITE 102 ST. JOSEPH, MI 49085			TANNER, HARRY B	
			ART UNIT	PAPER NUMBER
			3744	
DATE MAILED: 12/23/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/757,890	Applicant(s) PARACHINI ET AL.	
	Examiner Harry B. Tanner	Art Unit 3744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Griffin et al. The admitted prior art at paragraphs 2 and 3 of the specification describes the invention substantially as claimed. Admitted prior art uses a movable shelf provided with an electronic control circuit for setting the temperature above the shelf and inductors placed on the shelf and fixed in the wall of the refrigerator for providing the electronics of the shelf with power and communicating the control signals from the shelf to the refrigerator. The admitted prior art does not mention placing the inductors fixed in the wall of the refrigerator in a removable package. Griffin teaches the use of a movably mounted pre-assembled package (see Figure 5) that is installed in the rear of a refrigerator in order to facilitate the assembly of the refrigerator. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the admitted prior art system such that it included the use of a movably mounted package including the inductors and their corresponding electronic components in order to facilitate the assembly of the refrigerator view of the teachings of Griffin.

Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Griffin et al as applied to claim 1 above, and further in view of Tatter. Tatter teaches the use of setting means that allows the input of temperature

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and humidity control setpoints and the display of temperature and humidity conditions in a refrigerator (see col. 5, lines 48-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the admitted prior art system such that the setting means on the shelf allowed the input of temperature and humidity control setpoints and the display of temperature and humidity conditions in a refrigerator in view of the teachings of Tatter.

Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Griffin et al as applied to claim 1 above, and further in view of Yoshikawa et al. Yoshikawa teaches providing a temperature sensor 24 on a shelf 13 in order to directly detect the temperature of food placed in a refrigerator. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the admitted prior art system such that it included the use of a temperature sensor on a shelf in order to directly detect the temperature of food placed in a refrigerator in view of the teachings of Yoshikawa.

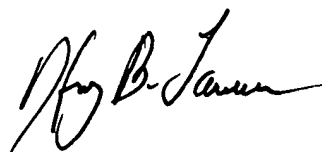
Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Griffin et al as applied to claim 1 above, and further in view of Negishi. Negishi teaches locating the evaporator at the rear wall of the refrigerator and providing a plurality of apertures in the rear wall for allowing airflow to the evaporator (see Figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the admitted prior art system such that it included locating the evaporator at the rear wall of the refrigerator and providing a

plurality of apertures in the rear wall for allowing airflow to the evaporator in view of the teachings of Negishi.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry B. Tanner whose telephone number is (571) 272-4813. The examiner can normally be reached 8:30 am to 5:00 pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Melba Bumgarner, can be reached on (571) 272-4709. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Harry B. Tanner", with a stylized, cursive script.

Harry B. Tanner
Primary Examiner
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